

040204 17175 U.S. PTO

PATENT
Customer Number 22,852
Attorney Docket No. 09404.0021-02

22856 U.S. PTO
10/815984
040204

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Prior Application Art Unit: 1614 Prior Application Examiner: C. Delacroix-Muirheid

SIR: This is a request for filing a

☒ Continuation ☐ Continuation-in-Part ☐ Divisional Application under 37 C.F.R. § 1.53(b)
of pending prior Application No. 09/853,854 filed May 11, 2001, of Donna M. CRABB, Lynn B.
DUFFY, and Karen B. SEARCEY for METHODS OF USE OF ANTIMICROBIAL
COMPOUNDS AGAINST PATHOGENIC MYCOPLASMA BACTERIA

1. ☒ Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior Application No. 09/853,854 as originally filed on May 11, 2001, which is a divisional of Application No. 09/399,855, filed on September 21, 1999 (now U.S. Patent No. 6,262,071), both of which are incorporated in their entirety herein by reference.
2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125. The undersigned hereby verifies that no new matter is added in this substitute specification.
3. ☐ Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 122(b)(2)(B)(i).
4. ☒ A Preliminary Amendment is enclosed.
5. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as amended in the Preliminary Amendment filed herewith.

Basic Application Filing Fee					\$770	\$ 770.00
	Number of Claims		Basic	Extra Claims		
Total Claims	25	-	20	5	x \$18	90.00
Independent Claims	1	-	3	0	x \$86	0.00
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$290	0.00
Subtotal						\$ 860.00
Reduction by 1/2 if small entity						- 0.00
TOTAL APPLICATION FILING FEE						\$ 860.00

6. ☒ This application is being filed under 37 C.F.R. §1.53(f). Applicants await notification of the time to pay the filing fee.
7. ☒ With the exception of the filing fee, the Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
8. ☐ New acceptable drawings are enclosed.
9. ☒ The prior application is assigned of record to: SmithKline Beecham Corporation
10. ☒ Priority of U.S. Provisional Application No. 60/141,455, filed on June 29, 1999, is claimed under 35 U.S.C. § 119(e).
11. ☐ Small entity status is appropriate and applies to this application.
12. ☒ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg.

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13. ☐ The power appears in the original declaration of the prior application.
14. ☒ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
15. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852.**
16. ☒ Recognize as associate attorney Steven P. O'Connor, Reg. No. 41,225
17. ☒ Also enclosed is an Information Disclosure Statement and Form PTO-1449

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in parent Application No. 09/853,854, filed May 11, 2001, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 2, 2004

By: William L. Strauss, Reg. No. 47,114
for Andrew Chanho Sonu
Reg. No. 41,225

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